

Amendment and Response under 37 C.F.R. 1.116
Applicant: Mark Hirst, et al.
Serial No.: 10/685,322
Filed: October 14, 2003
Docket No.: 200309706-1
Title: IMAGE DEVICE COOLING SYSTEM

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REMARKS

The following remarks are made in response to the Final Office Action mailed September 22, 2006. Claims 3-5, 13-15, 25-27 and 35-37 have been allowed. Claims 1, 6, 7, 9-12, 17-19, 21-24, 28, 29, 31-34, 38, 39 and 41-47 were rejected. Claims 8, 20, 30 and 40 have been objected to. With this Response, claims 1, 12, 24, and 34 have been cancelled without prejudice and claims 6, 7, 9-11, 17-19, 21-23, 28, 29, 31-33, 38, 39, 41-43, 44, 45, and 47 have been amended. Claims 3-11, 13-15, 17-23, 25-33, and 35-47 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1, 6, 7, 9-12, 17-19, 21-24, 28, 29, 31-34, 38, 39 and 41-47 under 35 U.S.C. § 103(a) as being unpatentable over JP 01-120342 in view of Suski (U.S. Patent No. 5,419,780).

With this Response, claims 1, 12, 24, and 34 have been cancelled without prejudice. Dependent claims 6, 7, and 9-11 have been amended to depend from allowed independent claim 3, dependent claims 17-19, and 21-23 have been amended to depend from allowed independent claim 13, dependent claims 28, 29, and 31-33 have been amended to depend from allowed independent claim 25, and dependent claims 38, 39, and 41-43 have been amended to depend from allowed independent claim 35. Consequently, each of these dependent claims is now in allowable form.

Independent claim 44 has been amended to recite a method of cooling a print imaging device including limitations similar to those recited by allowed independent claim 3 and is believed to be in allowable form. Similarly, independent claim 47 has been amended to include means having limitations similar to those recited by allowed independent claim 3. Dependent claims 45 and 46 further define patentably distinct independent claim 44.

In view of the above, Applicants respectfully request withdrawal of the rejections of claims 1, 6, 7, 9-12, 17-19, 21-24, 28, 29, 31-34, 38, 39 and 41-47 under 35 U.S.C. § 103(a) and that these claims be allowed.

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Allowable Subject Matter

Claims 3-5, 13-15, 25-27 and 35-37 are allowed.

The Examiner objected to claims 8, 20, 30, and 40 for being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims and if rewritten to overcome the 35 U.S.C. §112 rejections.

With this response, claim 8 now indirectly depends from allowed independent claim 3, claim 20 now indirectly depends from allowed independent claim 13, claim 30 now indirectly depends from allowed independent claim 25, and claim 40 now indirectly depends from allowed independent claim 35. As such, Applicants respectfully requests that the objections to claims 8, 20, 30, and 40 be withdrawn and that these claims be allowed.